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Informal Comments in the matter of
1998 Biennial regulatory Review Streamlining of
Mass Media Applications, Rules and Processes
MM Docket 98-43

Submitted By:
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President of Vir James Engineers

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JUN 23 1998
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The proposed changes are massive and far reaching and have the potential to change the whole nature of broadcasting in the United States.

Vir James Engineers have done technical work for more than 10% of all broadcast stations in the US over the past 45 years. We always strive to provide complete and accurate information in all of our filings. However there have from time to time been others who have abused the process with incomplete and patently ungrantable filings, sometimes in great quantities. These abuses have brought FCC reactions such as the "hard look" policy for FM applications in the past and specific minimum requirements for site maps, etc. Similarly there have been some who filed applications without any real ability to use the site proposed in the applications resulting in the current site availability certification requirement. A few unscrupulous applicants have applied for construction permits with little intent to provide service to the public but instead have warehoused frequencies and then sold them to the highest bidder resulting in the present maximum price cap policy for sale of unbuilt construction permits. Although most broadcasters and consultants are scrupulous and seek only to provide a needed service to the public, it only takes a few exceptions to bring the whole processing system to naught.

Does the FCC really believe that computerization will magically eliminate the need to have complete and adequate facility designs located on sites that are really available for the proposed use? Or perhaps there are no longer any unscrupulous individuals who might abuse the FCC process as happened in the past. I don't believe that either of these two scenarios are true. I do believe that the present proposal will result in chaos not streamlining.

Electronic filing will undoubtedly result in less delay in the mail room and may even result in less filings misplaced on desks at the Commission. However there are many details that define a radio station that are not adequately covered in the blanks and check boxes of a form. Additional exhibits are almost certainly required to describe an actual facility.

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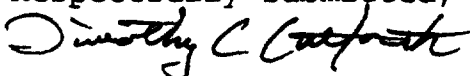
Computerized map exhibits are either woefully lacking in the details that make maps useful in the first place or tremendous sized data files that are very slow to transfer and wasteful of computer storage space. Either such additional exhibits will still have to be stored separately or else the presently important details they show must be declared to be unimportant and no longer required. Although having the applicant keep additional exhibits in their own file may seem satisfactory on the surface, but it will result in the FCC designing facilities from scratch for many lazy or unscrupulous applicants. The Honor System works perfectly when applied to perfect applicants.

The FCC will have to have a massive computer system with a myriad of telephone modems to deal with the present demand for filings. The proposal to change most services over to a window filing system will increase the peak data load even further stressing the filing system. In the event of a computer crash at the FCC how would an applicant prove that his filing had been tendered before the window deadline? What about the client who cannot get connected on line to file in the window due to telephone line trouble (or system overloading) beyond his control? There must remain alternate filing methods and alternate FCC storage/retrieval methods to prevent a loss of accountability and to provide outsiders the ability to track and study applications without allowing unauthorized alteration. We cannot properly limit access to the few technically competent who have access to powerful computers. As an accomplished computer operator and programmer I do not fear or distrust computers but I am painfully aware of the fallout of the occasional failing.

Each change in the filing process must be weighed fully including the unintended consequences. Changes cannot be made solely for convenience without regard to consequences. Convenience and even cost savings must remain secondary to providing radio and television service to the public.

In summary I believe that the proposed changes herein called streamlining are overreaching and will result in considerable abuse of the application process and loss of services to the public. The proposed benefits are not comparable with the possible risks.

Respectfully submitted,



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President of Vir James Engineers
17 June 1998

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